

EXHIBIT 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

vs. No. 3:10-cv-03561-WHA

GOOGLE, INC.,

Defendant.

VIDEOTAPED DEPOSITION OF OWEN ASTRACHAN, Ph.D.
San Francisco, California
Monday, March 14, 2016
Volume I

REPORTED BY:

REBECCA L. ROMANO, RPR, CSR No. 12546

JOB NO. 2241710

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Plaintiff,

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No. 3:10-cv-03561-WHA

GOOGLE, INC.,

Defendant.

VIDEOTAPED DEPOSITION OF OWEN ASTRACHAN,
Ph.D., taken on behalf of the Plaintiff, at
405 Howard Street, 10th Floor, San Francisco,
California, commencing at 10:05 a.m., Monday,
March 14, 2016, before Rebecca L. Romano,
Certified Shorthand Reporter No. 12546

1 APPEARANCES OF COUNSEL

2
3 For the Plaintiff:

4 ORRICK, HERRINGTON & SUTCLIFFE, LLP

5 BY: ANNETTE L. HURST

6 BY: GABRIEL M. RAMSEY

7 BY: NATHAN SHAFFER

8 Attorneys at Law

9 The Orrick Building

10 405 Howard Street

11 San Francisco, California 94105-2669

12 (415) 773-4585

13 ahurst@orrick.com

14 gramsey@orrick.com

15 nshaffer@orrick.com

16 and

17 BY: ALYSSA CARIDIS

18 Attorney at Law

19 777 South Figueroa Street

20 Suite 3200

21 Los Angeles, California 90017-5855

22 (213) 629-2020

23 acaridis@orrick.com

1 APPEARANCES OF COUNSEL (CONTINUED)

2
3 For the Plaintiff:

4 ORRICK, HERRINGTON & SUTCLIFFE, LLP

5 BY: JEFFREY L. COX

6 Attorney at Law

7 701 5th Avenue

8 Suite 5000

9 Seattle, Washington 98104-7097

10 (206) 839-4416

11 jcox@orrick.com

12
13 For the Defendant:

14 KEKER & VAN NEST LLP

15 BY: MATTHIAS A. KAMBER

16 Attorney at Law

17 633 Battery Street

18 San Francisco, California 94111

19 (415) 773-6697

20 mkamber@kvn.com

21
22 ALSO PRESENT:

23 Brandon Miller, Videographer

24 Douglas Schmidt, Ph.D.

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Exhibit 608

15

1 San Francisco, California; Monday, March 14, 2016

2 10:05 a.m.

3 ---o0o---

4
5 THE VIDEOGRAPHER: Good morning. On the
6 record at 10:05 a.m., on March 14th, 2016, and this
7 is the video-recorded deposition of
8 Dr. Owen Astrachan. My name is Brandon Miller,
9 here with court reporter, Rebecca Romano. We are
10 here from Veritext Legal Solutions. The deposition
11 is being held at 405 Howard Street, 10th Floor,
12 San Francisco, California, 94105. The caption of
13 this case is Oracle America, Inc. versus
14 Google, Inc., Case No. C10-03561-WHA.

15 Please note that audio-video recording
16 will take place unless all parties agree to go off
17 the record. Microphones are sensitive. They pick
18 up whispers, private conversations, and cellular
19 interference.

20 I am not related to any party in this
21 action, nor am I financially interested in the
22 outcome in any way.

23 At this time will counsel please
24 introduce themselves.

25 MS. HURST: Yes. Annette Hurst for

1 Oracle. And with me are my colleagues, Jeff Cox,
2 Gabe Ramsey, Alyssa Caridis, Nathan Shaffer. Also
3 present is Douglas Schmidt.

4 MR. KAMBER: Matthias Kamber, of
5 Kecker & Van Nest, on behalf of the defendant,
6 Google, Inc.

7 THE VIDEOGRAPHER: Thank you.

8 You may now swear in the witness.

9 THE REPORTER: If you could raise your
10 right hand for me, please.

11 THE DEPONENT: (Complies.)

12 THE REPORTER: You do solemnly state,
13 under penalty of perjury, that the testimony you
14 are about to give in this deposition shall be the
15 truth, the whole truth and nothing but the truth?

16 THE DEPONENT: I do.

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1 Did you see those?

2 A. I did see those.

3 Q. And are you able today to identify any
4 flaws in any of those scripts?

5 A. I am not able to identify flaws in the
6 R scripts in Dr. Kemerer's report.

7 Q. Did you attempt to do any page-rank
8 analysis of your own on the Android API?

9 A. I -- I did not try to do page-rank
10 analysis of the Android API, no.

11 Q. Did you do any page-rank analysis of the
12 Java API?

13 A. I did not do page-rank analysis of the
14 Java API either, no.

15 Q. Have you performed any comparison of
16 Java SE with Java ME in order to determine any
17 degree of overlap between them?

18 A. I -- I have read the APIs for Java ME and
19 Java SE, and I mentioned briefly in one of my
20 reports aspects of the overlap. So I would say,
21 yes, I have analyzed those to some extent.

22 Q. All right. Can you identify how many
23 classes and interfaces in ME and SE are the same?

24 A. There -- most of the -- most of Java ME
25 is a subset of something in Java SE.

1 Q. Now, earlier we were talking about
2 Moore's Law, and you mentioned that it was -- I
3 think every two years you get a doubling.

4 And is it every two years that you get a
5 doubling in processing power or speed?

6 A. Speed, speed of processor.

7 Q. Speed.

8 Are you aware, generally, of any
9 processor speed -- recommended processor speed
10 specification or configuration for use in
11 connection with Java SE 5?

12 A. I understand the question to be, have I
13 read of or am I aware of how fast a processor needs
14 to be to adequately run Java SE; is that a --

15 Q. Yeah.

16 A. -- reasonable interpretation?

17 Q. And in particular, Version 5. So let's
18 go back and -- you know, for a moment in time to
19 when Java SE 5 was first released and, you know,
20 think of what processor would have been necessary
21 at that time to adequately run Java SE 5.

22 A. I'm not aware of Sun or Oracle providing
23 recommend recommendations for processor speed. I
24 am cognizant of, in an academic setting for
25 certain, folks that had older computers were often

1 I, Rebecca L. Romano, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:

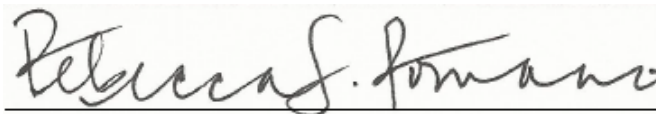
3 That the foregoing proceedings were taken before me
4 at the time and place herein set forth; that any
5 witnesses in the foregoing proceedings, prior to
6 testifying, were administered an oath; that a record of
7 the proceedings was made by me using machine shorthand
8 which was thereafter transcribed under my direction;
9 that the foregoing transcript is true record of the
10 testimony given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [X] was not requested.

15 I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney or any party to this action.

18 IN WITNESS WHEREOF, I have this date subscribed my
19 name.

20 Dated: March 15, 2016
21
22

23 

24 Rebecca L. Romano, RPR,
25 CSR. No 12546